

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEVADA**

**ADVERSARY PROCEEDING PROCEDURES**

(Judge Riegle and Judge Markell)

The Clerk will provide a blank "Standard Discovery Plan or Request for Waiver of Filing Discovery Plan" when the Summons is issued, and will insert the date and time of the Scheduling Conference on the issued Summons.

Together with the Summons and Complaint, the Plaintiff shall also serve: (i) the "Standard Discovery Plan or Request for Waiver of Filing Discovery"; and (ii) these Adversary Proceeding Procedures.

A. ***Meet and Confer Immediately After Answering.*** Within thirty (30) days after the first defendant has answered or otherwise appeared, the parties shall meet and confer as required by Fed. R. Bank. P. 7026 and LR 7026. No later than fourteen (14) days after meeting, the parties shall complete and submit the information required by the "Standard Discovery Plan or Request for Waiver of Filing Discovery Plan." See *Local Rule 7026*.

B. ***Attendance at Scheduling Conference.*** Unless excused by the Court's issuance of an Order Regarding Pretrial and Trial, counsel for all parties *shall* attend the first Scheduling Conference.

C. ***Motions.*** All motions to amend the pleadings pursuant to Fed. R. Bankr. P. 7015 and to join parties pursuant to Fed. R. Bankr. P. 7019 shall be filed so as to be heard no later than the close of discovery. If an amendment or joinder is allowed, and unless the Court orders otherwise, discovery shall be extended for 45 additional days from the original date for the close of discovery. This extension is for the limited purpose of conducting discovery with respect to the amendment or joinder only.

Unless the parties otherwise agree, and subject to court approval of that agreement, all potential dispositive motions with respect to any or all issues shall be filed no later than the close of discovery. It is counsel's responsibility to ensure that, regardless of the date filed, any dispositive motion is heard before the scheduled trial date.

Unless otherwise provided in any Order Regarding Pretrial and Trial, motions in limine must be filed at the time of the pre-trial conference and responses thereto shall be filed 5 business days prior to the start of trial. No reply will be permitted unless requested by the Court.

D. ***Discovery.*** Unless the parties otherwise agree, and subject to court approval of that agreement, all discovery must be completed by 120 days after the answer is filed or the first appearance has been made by any defendant. All discovery must be conducted in accordance with the Federal Rules of Bankruptcy Procedure and the applicable Local Rules of Bankruptcy Practice.

E. ***Pre-Trial Conference.*** The Court will ordinarily enter an Order Regarding Pretrial and Trial. Such an order usually provides for, among other things, the content and timing of Trial Statements by each party, and for a Pre-Trial Conference. All attorneys and all unrepresented parties must attend any pretrial conference.

F. ***Trial Preparation.*** No later than the day before the trial, the parties will mark the Exhibits and supplement any Trial Statements. Sanctions may be imposed if a party fails to show good cause for failing to stipulate to an exhibit.

F. ***Settlement Conferences.*** The Court is willing to participate in settlement conferences at the parties' request. Parties as well as counsel must be present at any settlement conference. The Court is also willing to have supplemental status conferences if counsel believe such conferences can be fruitful. It is the intent of the Court to make proceedings as economical and efficient as possible.

**Revised 4-19-05**